



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/698,087 Confirmation No.:
Applicant : ROBERT S. HOWLAND
Filing Date : 10/31/2003
Title : MULTI SELECTIVE AXIS SPINAL FIXATION SYSTEM
Group Art Unit : Unknown
Examiner : Unassigned
Docket No. : 703716.4001
Customer No. : 34313

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449. In accordance with the USPTO waiver of the requirement under 37 CFR 1.98(a)(2)(i), only copies of foreign patent documents and non-patent literature are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

CERTIFICATE OF MAILING (37 CFR §1.8)

I hereby certify, pursuant to 37 CFR §1.8, that I have reasonable basis to expect that that this paper or fee (along with any referred to as being attached or enclosed) would be mailed or transmitted on or before the date indicated with the United States Postal Service with sufficient postage as first class mail on the date shown below in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Dated: 01/07/2004



Signature of Person Mailing Document

Applicant : ROBERT S. HOWLAND
Appl. No. : 10/698,087
Examiner : Unassigned
Docket No. : 703716.4001

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☒ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.



Applicant : ROBERT S. HOWLAND
Appl. No. : 10/698,087
Examiner : Unassigned
Docket No. : 703716.4001

STATEMENT UNDER 37 CFR § 1.97(e):

- ☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.
- ☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

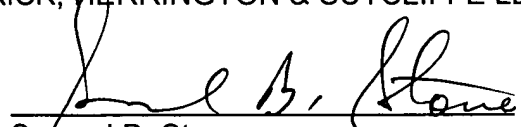
- ☐ A check in the amount of _____ is enclosed for the above fee(s).
- ☐ Please charge _____ to Deposit Account No. **15-0665** for the above fee(s).
- ☒ The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Orrick, Herrington & Sutcliffe's Deposit Account No. **15-0665**.

Respectfully submitted,

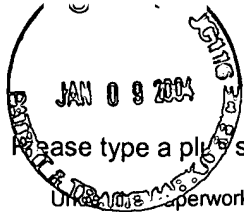
ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: January 7, 2004

By:


Samuel B. Stone
Reg. No. 19,297

ORRICK, HERRINGTON & SUTCLIFFE LLP
4 Park Plaza, Suite 1600
Irvine, CA 92614
949/567-6700 Telephone
949/567-6710 Facsimile

Please type a plus sign (+) in this box ☐ ☒

Approved for use through 05/31/2003. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/698,087
				Filing Date	10/31/2003
				First Named Inventor	Robert S. Howland
				Group Art Unit	Unknown
Sheet	1	of	10	Examiner Name	Unassigned
				Attorney Docket Number	703716.4001

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publications of Cited Documents MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ²			
	1	2,696,817	A	Prevo	12/14/1954	
	2	3,997,138	A	Crock et al.	12/14/1976	
	3	4,599,086	A	Doty	07/08/1986	
	4	4,648,388	A	Steffee	03/10/1987	
	5	4,653,481	A	Howland et al.	03/31/1987	
	6	4,719,905	A	Steffee	01/19/1988	
	7	4,743,256	A	Brantigan	05/10/1988	
	8	4,771,767	A	Steffee	09/20/1988	
	9	4,805,602	A	Puno et al.	02/21/1989	
	10	4,815,453	A	Cotrel	03/28/1989	
	11	4,820,305	A	Harms et al.	04/11/1989	
	12	4,827,918	A	Olerud	05/09/1989	
	13	4,836,193	A	Ransford	06/06/1989	
	14	4,854,304	A	Zielke	08/08/1989	
	15	4,854,311	A	Steffee	08/08/1989	
	16	4,863,476	A	Shepperd	09/05/1989	
	17	4,887,596	A	Sherman	12/19/1989	
	18	4,892,545	A	Day et al.	01/09/1990	
	19	4,931,055	A	Bumpus et al.	06/05/1990	
	20	4,932,975	A	Main et al.	06/12/1990	
	21	4,944,743	A	Gotzen et al.	07/31/1990	
	22	4,946,458	A	Harms et al.	08/07/1990	
	23	4,950,270	A	Bowman et al.	08/21/1990	
	24	4,963,144	A	Huene	10/16/1990	
	25	4,987,892	A	Krag et al.	01/29/1991	
	26	4,998,936	A	Mehdian	03/12/1991	
	27	5,000,165	A	Watanabe	03/19/1991	
	28	5,000,166	A	Karpf	03/19/1991	
	29	5,002,542	A	Frigg	03/26/1991	
	30	5,005,562	A	Cotrel	04/09/1991	
	31	5,007,909	A	Rogozinski	04/16/1991	
	32	5,010,879	A	Moriya et al.	04/30/1991	
	33	5,011,484	A	Bréard	04/30/1991	
Examiner Signature		DOCSOC1:146205.1			Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.)). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) in this box ☐ ☒Approved for use through 05/31/2003. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

Complete if Known

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

2

of

10

Application Number	10/698,087
Filing Date	10/31/2003
First Named Inventor	Robert S. Howland
Group Art Unit	Unknown
Examiner Name	Unassigned
Attorney Docket Number	703716.4001

34	5,015,247	A	Michelson	05/14/1991	
35	5,030,220	A	Howland	07/09/1991	
36	5,034,011	A	Howland	07/23/1991	
37	5,041,113	A	Biedermann et al.	08/20/1991	
38	5,042,982	A	Harms et al.	08/27/1991	
39	5,047,029	A	Aebi et al.	09/10/1991	
40	5,053,034	A	Olerud	10/01/1991	
41	5,057,109	A	Olerud	10/15/1991	
42	5,062,850	A	MacMillan et al.	11/05/1991	
43	5,067,955	A	Cotrel	11/26/1991	
44	5,067,956	A	Buford, III et al.	11/26/1991	
45	5,084,048	A	Jacob et al.	01/28/1992	
46	5,084,049	A	Asher et al.	01/28/1992	
47	5,084,050	A	Draenert	01/28/1992	
48	5,085,660	A	Lin	02/04/1992	
49	5,092,866	A	Breard et al.	03/03/1992	
50	5,092,867	A	Harms et al.	03/03/1992	
51	5,092,893	A	Smith	03/03/1992	
52	5,098,434	A	Serbousek	03/24/1992	
53	5,108,395	A	Laurain	04/28/1992	
54	5,108,438	A	Stone	04/28/1992	
55	5,112,332	A	Cozad et al.	05/12/1992	
56	5,120,171	A	Lasner	06/09/1992	
57	5,122,131	A	Tsou	06/16/1992	
58	5,127,912	A	Ray et al.	07/07/1992	
59	5,129,388	A	Vignaud et al.	07/14/1992	
60	5,129,899	A	Small et al.	07/14/1992	
61	5,129,900	A	Asher et al.	07/14/1992	
62	5,129,901	A	Decoste	07/14/1992	
63	5,133,716	A	Plaza	07/28/1992	
64	5,133,717	A	Chopin	07/28/1992	
65	5,147,359	A	Cozad et al.	09/15/1992	
66	5,147,360	A	Dubousset	09/15/1992	
67	5,147,361	A	Ojima et al.	09/15/1992	
68	5,147,362	A	Goble	09/15/1992	
69	5,147,363	A	Härle	09/15/1992	

Examiner
Signature

DOCSOC1:146205.1

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.)). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

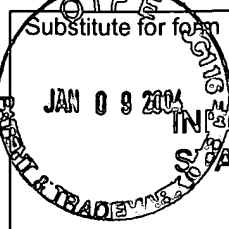
Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) in this box ☐ ☒Approved for use through 05/31/2003. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

Complete if Known

				Application Number	10/698,087
				Filing Date	10/31/2003
				First Named Inventor	Robert S. Howland
				Group Art Unit	Unknown
				Examiner Name	Unassigned
Sheet	3	of	10	Attorney Docket Number	703716.4001

(use as many sheets as necessary)

	70	5,147,402	A	Bohler et al.	09/15/1992	
	71	5,147,404	A	Downey	09/15/1992	
	72	5,151,103	A	Tepic et al.	09/29/1992	
	73	5,152,303	A	Allen	10/06/1992	
	74	5,154,718	A	Cozad et al.	10/13/1992	
	75	5,154,719	A	Cotrel	10/13/1992	
	76	5,167,662	A	Hayes et al.	12/01/1992	
	77	5,167,664	A	Hodorek	12/01/1992	
	78	5,169,400	A	Mühling et al.	12/08/1992	
	79	5,171,278	A	Pisharodi	12/15/1992	
	80	5,171,279	A	Mathews	12/15/1992	
	81	5,171,280	A	Baumgartner	12/15/1992	
	82	5,171,281	A	Parsons et al.	12/15/1992	
	83	5,176,678	A	Tsou	01/05/1993	
	84	5,176,679	A	Lin	01/05/1993	
	85	5,176,680	A	Vignaud et al.	01/05/1993	
	86	5,180,381	A	Aust et al.	01/19/1993	
	87	5,180,382	A	Frigg et al.	01/19/1993	
	88	5,180,388	A	DiCarlo	01/19/1993	
	89	5,180,393	A	Commarmond	01/19/1993	
	90	5,181,917	A	Rogozinski	01/26/1993	
	91	5,190,543	A	Schläpfer	03/02/1993	
	92	5,196,013	A	Harms et al.	03/23/1993	
	93	5,196,014	A	Lin	03/23/1993	
	94	5,196,015	A	Neubardt	03/23/1993	
	95	5,201,734	A	Cozad et al.	04/13/1993	
	96	5,207,678	A	Harms et al.	05/04/1993	
	97	5,209,751	A	Farris et al.	05/11/1993	
	98	5,209,752	A	Ashman et al.	05/11/1993	
	99	5,209,753	A	Biedermann et al.	05/11/1993	
	100	5,217,461	A	Asher et al.	06/08/1993	
	101	5,217,462	A	Asnis et al.	06/08/1993	
	102	5,217,497	A	Mehdian	06/08/1993	
	103	5,222,954	A	Baker et al.	06/29/1993	
	104	5,226,766	A	Lasner	07/13/1993	
	105	5,226,906	A	Crombie et al.	07/13/1993	

Examiner Signature	DOCSOC1:146205.1	Date Considered	
--------------------	------------------	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.)). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) in this box ☐ ☒Approved for use through 05/31/2003. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

Complete if Known

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

4

of

10

Application Number

10/698,087

Filing Date

10/31/2003

First Named Inventor

Robert S. Howland

Group Art Unit

Unknown

Examiner Name

Unassigned

Attorney Docket Number

703716.4001

106	5,234,430	A	Huebner	08/10/1993	
107	5,234,431	A	Keller	08/10/1993	
108	5,236,431	A	Gogolewski et al.	08/17/1993	
109	5,236,460	A	Barber	08/17/1993	
110	5,242,443	A	Kambin	09/07/1993	
111	5,242,444	A	MacMillan	09/07/1993	
112	5,242,445	A	Ashman	09/17/1993	
113	5,242,446	A	Steffee et al.	09/07/1993	
114	5,242,447	A	Borzone	09/07/1993	
115	5,246,442	A	Ashman et al.	09/21/1993	
116	5,246,458	A	Graham	09/21/1993	
117	5,247,994	A	Nenniger	09/28/1993	
118	5,254,118	A	Mirkovic	10/19/1993	
119	5,257,993	A	Asher et al.	11/02/1993	
120	5,257,994	A	Lin	11/02/1993	
121	5,258,031	A	Salib et al.	11/02/1993	
122	5,259,398	A	Vrespa	11/09/1993	
123	5,261,909	A	Sutterlin et al.	11/16/1993	
124	5,267,999	A	Olerud	12/07/1993	
125	5,275,600	A	Allard et al.	01/04/1994	
126	5,281,222	A	Allard et al.	01/25/1994	
127	5,281,223	A	Ray	01/25/1994	
128	5,282,862	A	Baker et al.	02/01/1994	
129	5,282,863	A	Burton	02/01/1994	
130	5,290,288	A	Vignaud et al.	03/01/1994	
131	5,290,289	A	Sanders et al.	03/01/1994	
132	5,300,073	A	Ray et al.	04/05/1994	
133	5,304,178	A	Stahurski	04/19/1994	
134	5,304,179	A	Wagner	04/19/1994	
135	5,304,210	A	Crook	04/19/1994	
146	5,306,275	A	Bryan	04/26/1994	
137	5,306,307	A	Senter et al.	04/26/1994	
138	5,306,308	A	Gross et al.	04/26/1994	
139	5,306,309	A	Wagner et al.	04/26/1994	
140	5,306,310	A	Siebels	04/26/1994	
141	5,306,311	A	Stone et al.	04/26/1994	

Examiner
Signature

DOCSOC1:146205.1

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.)). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) in this box ☐ ☒Approved for use through 05/31/2003. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substituted for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
Application Number				10/698,087	
Filing Date				10/31/2003	
First Named Inventor				Robert S. Howland	
Group Art Unit				Unknown	
Examiner Name				Unassigned	
Attorney Docket Number				703716.4001	
Sheet	5	of	10		

142	5,312,404	A	Asher et al.	05/17/1994	
143	5,312,405	A	Korotko et al.	05/17/1994	
144	5,330,473	A	Howland	07/19/1994	
145	5,360,429	A	Jeanson et al.	11/01/1994	
146	5,360,431	A	Puno et al.	11/01/1994	
147	5,360,448	A	Thramann	11/01/1994	
148	5,364,399	A	Lowery et al.	11/15/1994	
149	5,364,400	A	Rego, Jr. et al.	11/15/1994	
150	5,366,455	A	Dove et al.	11/22/1994	
151	5,368,593	A	Stark	11/29/1994	
152	5,368,594	A	Martin et al.	11/29/1994	
153	5,374,267	A	Siegal	12/20/1994	
154	5,380,323	A	Howland	01/10/1995	
155	5,380,324	A	Müller et al.	01/10/1995	
156	5,380,325	A	Lahille et al.	01/10/1995	
157	5,380,326	A	Lin	01/10/1995	
158	5,380,327	A	Eggers et al.	01/10/1995	
159	5,382,248	A	Jacobson et al.	01/17/1995	
160	5,385,565	A	Ray	01/31/1995	
161	5,385,583	A	Cotrel	01/31/1995	
162	5,387,212	A	Yuan et al.	02/07/1995	
163	5,387,213	A	Breard et al.	02/07/1995	
164	5,423,816	A	Lin	06/13/1995	
165	5,423,818	A	Van Hoeck et al.	06/13/1995	
166	5,425,732	A	Ulrich	06/20/1995	
167	Re. 34,985	A	Pennig	07/27/1995	
168	5,429,639	A	Judet	07/04/1995	
169	5,437,669	A	Yuan et al.	08/01/1995	
170	5,437,670	A	Sherman et al.	08/01/1995	
171	5,437,671	A	Lozier et al.	08/01/1995	
172	5,443,467	A	Biedermann et al.	08/22/1995	
173	5,466,237	A	Byrd, III et al.	11/14/1995	
174	5,474,555	A	Puno et al.	12/12/1995	
175	5,487,744	A	Howland	01/30/1996	
176	5,496,318	A	Howland et al.	03/05/1996	
177	5,545,164	A	Howland	08/13/1996	

Examiner Signature	DOCSOC1:146205.1	Date Considered	
--------------------	------------------	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.)). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) in this box ☐ ☒Approved for use through 05/31/2003. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

Complete if Known



**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet	6	of	10	Application Number	10/698,087
				Filing Date	10/31/2003
				First Named Inventor	Robert S. Howland
				Group Art Unit	Unknown
				Examiner Name	Unassigned
				Attorney Docket Number	703716.4001

	178	5,545,166	A	Howland	08/13/1996	
	179	5,549,608	A	Errico et al.	08/27/1996	
	180	5,554,157	A	Errico et al.	09/10/1996	
	181	5,562,660	A	Grob	10/08/1996	
	182	5,584,834	A	Errico et al.	12/17/1996	
	183	5,586,984	A	Errico et al.	12/24/1996	
	184	5,628,740	A	Mullane	05/13/1997	
	185	5,647,873	A	Errico et al.	07/15/1997	
	186	5,669,911	A	Errico et al.	09/23/1997	
	187	5,672,176	A	Biedermann et al.	09/30/1997	
	188	5,690,630	A	Errico et al.	11/25/1997	
	189	5,716,357	A	Rogozinski	02/10/1998	
	190	5,725,528	A	Errico et al.	03/10/1998	
	191	5,728,098	A	Sherman et al.	03/17/1998	
	192	5,733,284	A	Martin	03/31/1998	
	193	5,733,286	A	Errico et al.	03/31/1998	
	194	5,735,850	A	Baumgartner et al.	04/07/1998	
	195	5,735,851	A	Errico et al.	04/07/1998	
	196	5,752,957	A	Ralph et al.	05/19/1998	
	197	5,776,135	A	Errico et al.	07/07/1998	
	198	5,782,833	A	Haider	07/21/1998	
	199	5,800,435	A	Errico et al.	09/01/1998	
	200	5,810,819	A	Errico et al.	09/22/1998	
	201	5,814,046	A	Hopf	09/29/1998	
	202	5,817,094	A	Errico et al.	10/06/1998	
	203	5,882,350	A	Ralph et al.	03/16/1999	
	204	5,910,142	A	Tatar	06/08/1999	
	205	5,928,232	A	Howland et al.	07/27/1999	
	206	5,954,725	A	Sherman et al.	09/21/1999	
	207	5,964,760	A	Richelsoph	10/12/1999	
	208	5,980,523	A	Jackson	11/09/1999	
	209	5,997,539	A	Errico et al.	12/07/1999	
	210	6,010,504	A	Rogozinski	01/04/2000	
	211	6,015,409	A	Jackson	01/18/2000	
	212	6,019,759	A	Rogozinski	02/01/2000	
	213	6,063,089	A	Errico et al.	05/16/2000	

Examiner Signature	DOCSOC1:146205.1	Date Considered	
--------------------	------------------	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.)). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) in this box

Approved for use through 05/31/2003. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

~~8-673~~ Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

Application Number	10/698,087
Filing Date	10/31/2003
First Named Inventor	Robert S. Howland
Group Art Unit	Unknown
Examiner Name	Unassigned
Attorney Docket Number	703716.4001

	214	6,083,226	A	Fiz	07/04/2000	
	215	6,113,601	A	Tatar	09/05/2000	
	216	6,132,434	A	Sherman et al.	10/17/2000	
	217	6,261,287	B1	Metz-Stavenhagen	07/17/2001	
	218	6,280,442	B1	Barker et al.	08/28/2001	
	219	6,287,311	B1	Sherman et al.	09/11/2001	
	220	6,309,391	B1	Crandall et al.	10/30/2001	
	221	Re. 37,665	E	Ralph et al.	04/16/2002	
	222	6,379,354	B1	Rogozinski	04/30/2002	
	223	6,451,021	B1	Ralph et al.	09/17/2002	
	224	6,454,773	B1	Sherman et al.	09/24/2002	
	225	6,471,705	B1	Biedermann et al.	10/29/2002	
	226	6,478,798	B1	Howland	11/12/2002	
	227	6,537,276	B2	Metz-Stavenhagen	03/25/2003	
	228	6,562,040	B1	Wagner	05/13/2003	
	229	6,565,567	B1	Haider	05/20/2003	
	230	6,595,992	B1	Wagner et al.	07/22/2003	

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials'	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	231	Centerpulse Spine-Tech Website pages on the ST360 ^o ™ Spinal Fixation System (http://www.centerpulsespinetech.com/spine/products/lumbar/st360/index)	
	232	Centerpulse Spine-Tech Website pages on the Silhouette™ product (http://www.centerpulsespinetech.com/spine/products/lumbar/silhouette/index)	
	233	Centerpulse Spine-Tech Website pages on the Optima™ Spinal Fixation System (http://www.centerpulsespinetech.com/spine/products/lumbar/optima/index)	

Examiner Signature	DOCSOC1:146205.1	Date Considered	
-----------------------	------------------	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

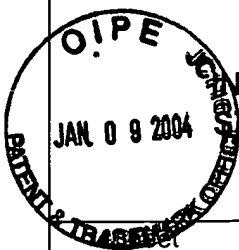
Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) in this box ☐ ☒Approved for use through 05/31/2003. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

Complete if Known

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

8

of

10

Application Number	10/698,087
Filing Date	10/31/2003
First Named Inventor	Robert S. Howland
Group Art Unit	Unknown
Examiner Name	Unassigned
Attorney Docket Number	703716.4001

	234	Centerpulse Spine-Tech Website pages on the DYNESYS® The Dynamic Stabilization System (http://www.centerpulsespinetech.com/spine/products/lumbar/dynesys/index)	
	235	Medtronic Sofamor Danek Website pages on the TSRH® Spinal System (http://www.sofamordanek.com/stripcontent.php?parent_file=/physician-spinal-trsh.html...)	
	236	Medtronic Sofamor Danek Website pages on the CD HORIZON® Spinal System (http://www.sofamordanek.com/stripcontent.php?parent_file=/physician-spinal-spinal.htm...)	
	237	Medtronic Sofamor Danek Website pages on the CD HORIZON® M8 and M10 Spinal Systems (http://www.sofamordanek.com/stripcontent.php?parent_file=/physician-spinal-fas.html&...)	
	238	Medtronic Sofamor Danek Website pages on the CD HORIZON® M8 and M10 Multi Axial Screw Spinal Systems (http://www.sofamordanek.com/stripcontent.php?parent_file=/physician-spinal-mas.html...)	
	239	Medtronic Sofamor Danek Website pages on the COLORADO 2™ Spinal System (http://www.sofamordanek.com/stripcontent.php?parent_file=/physician-spinal-colorado.h...)	
	240	Medtronic Sofamor Danek Website pages on the TSRH-3D® Vertebral Body Reduction Spinal Instrumentation (http://www.sofamordanek.com/stripcontent.php?parent_file=/physician-spinal-trshvbr.ht...)	
	241	05/12/2003 Press Release from Aesculap Website entitled "Aesculap announces agreement with spinal innovations for SHADOW™ pedicle screw system" (http://www.aesculap-usa.com/aboutus/in_news/ab_in_news13.html), 1999-2002	
	242	Aesculap Website pages on its Cranio Spine Business unit (http://www.aesculap-usa.com/produkt_service/cranio_bu/ps_cbu.htm), 1999-2002	
	243	Synthes-Stratec Website page on its spine portfolio (http://www.synthes-stratec.com/html/4322.98.html), 2003	
	244	Synthes AG Chur Website page (http://www.synthes-chur.ch/), 02/18/2003	
	245	EBI Medical Website pages on the VueLock® Anterior Cervical Plate System (http://www.ebimedical.com/products/spine/vuelock.html), 2002	
	246	EBI Medical Website page on the Ionic™ Spine Spacer System (http://www.ebimedical.com/products/spine/ionic.html), 2003	
	247	EBI Medical Website pages on the Ω mega21™ Expandable Screw for Spine Fixation (http://www.ebimedical.com/products/spine/expandable.html), 2002	
	248	EBI Medical Website pages on the Ω mega21™ Versatile Rod System (http://www.ebimedical.com/products/spine/omega.html), 2002	
	249	EBI Medical Website pages on the SpineLink® Anterior Cervical Spinal System (http://www.ebimedical.com/products/spine/anterior.html), 2002	
	250	EBI Medical Website pages on the SpineLink®-II The Next Generation in Independent Intrasegmental Fixation (http://www.ebimedical.com/products/spine/spinelink2.html), 2003	
	251	EBI Medical Website pages on the SpineLink® The Independent Intrasegmental Solution to Spine Fixation (http://www.ebimedical.com/products/spine/spinelink.html), 2002	
Examiner Signature	DOCSOC1:146205.1		Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.)). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.


Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) in this box ☐ ☒

Approved for use through 05/31/2003. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Supplies for form 1449A/PTO				Complete if Known	
 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/698,087
				Filing Date	10/31/2003
				First Named Inventor	Robert S. Howland
				Group Art Unit	Unknown
				Examiner Name	Unassigned
Sheet	9	of	10	Attorney Docket Number	703716.4001

	252	Interpore Cross International Website pages on the Altius™ System Occipito-Cervico-Thoracic Posterior Spinal Fixation (http://www.interpore.com/product_altius.html), 2003	
	253	Interpore Cross International Website pages on the C-TEK® Anterior Cervical Plate System (http://www.interpore.com/product_ctek.html), 2003	
	254	Interpore Cross International Website pages on the SYNERGY™ Spinal System (http://www.interpore.com/product_synergy.html), 2003	
	255	Interpore Cross International Website pages on the SYNERGY™ IQ Low Back System (http://www.interpore.com/product_synergy_iq.html), 2003	
	256	Interpore Cross International Website pages on the SYNERGY™ Deformity System (http://www.interpore.com/product_synergy_ds.html), 2003	
	257	Interpore Cross International Website pages on the TPS™-C The Telescopic Plate Spacer for Cervical Spine (http://www.interpore.com/product_tps.html), 2003	
	258	Interpore Cross International Website pages on the TPS™-TL The Telescopic Plate Spacer for Thoracolumbar Spine (http://www.interpore.com/product_tps_tl.html), 2003	
	259	DePuy Spine, Inc. Website pages on the SUMMIT™ Channel Plate Fixation System (http://www.depuyacromed.com/products/other/summit_channel.asp), 2003	
	260	DePuy Spine, Inc. Website pages on the SUMMIT™ 3.0 MM Rod Fixation System (http://www.depuyacromed.com/products/other/summit_rod.asp), 2003	
	261	DePuy Spine, Inc. Website pages on the SUMMIT™ SI Spinal Fixation System (http://www.depuyacromed.com/products/cervical/summit_si_oct.asp), 2003	
	262	DePuy Spine, Inc. Website pages on the DOCT™ Rod (http://www.depuyacromed.com/products/cervical/docrod.asp), 2003	
	263	DePuy Spine, Inc. Website pages on the ISOLA®/VSP® Spine System (http://www.depuyacromed.com/products/deformity/isola.asp), 2003	
	264	DePuy Spine, Inc. Website pages on the TiMX™ Comprehensive Low Back System (http://www.depuyacromed.com/products/deformity/timx_comprehensive.asp), 2003	
	265	DePuy Spine, Inc. Website page on the MOSS MIAMI™ 4.0 (Small Stature Patients) (http://www.depuyacromed.com/products/deformity/moss_miami40.asp), 2003	
	266	DePuy Spine, Inc. Website pages on the MOSS MIAMI SI™ (http://www.depuyacromed.com/products/deformity/moss_miami_si.asp), 2003	
	267	DePuy Spine, Inc. Website pages on the MOSS MIAMI™ 5.5 Ti (http://www.depuyacromed.com/products/deformity/moss_miami55.asp), 2003	
	268	DePuy Spine, Inc. Website pages on the MOSS MIAMI™ 5.0 SS (http://www.depuyacromed.com/products/deformity/moss_miami50.asp), 2003	
	269	DePuy Spine, Inc. Website pages on the MONARCH™ 5.5 Ti (http://www.depuyacromed.com/products/deformity/monarch55.asp), 2003	

Examiner Signature	DOCSOC1:146205.1	Date Considered	
--------------------	------------------	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.)). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) in this box ☐ ☒Approved for use through 05/31/2003. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

Complete if Known

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet	10	of	10	Application Number	10/698,087
-------	----	----	----	--------------------	------------

Filing Date	10/31/2003
First Named Inventor	Robert S. Howland
Group Art Unit	Unknown
Examiner Name	Unassigned
Attorney Docket Number	703716.4001

270	DePuy Spine, Inc. Website pages on the FRONTIER™ (http://www.depuyacromed.com/products/deformity/frontier.asp), 2003	
271	DePuy Spine, Inc. Website pages on the CROSSOVER™ (http://www.depuyacromed.com/products/deformity/cross.asp), 2003	
272	DePuy Spine, Inc. Website pages on the MODULAR CROSS CONNECTOR™ (MCC) (http://www.depuyacromed.com/products/deformity/modular_cross.asp), 2003	
273	DePuy Spine, Inc. Website pages on the MONARCH™ 6.35 Ti (http://www.depuyacromed.com/products/deformity/monarch.html), 2002	
274	DePuy Spine, Inc. Website pages on the UNIVERSITY PLATE™ System (http://www.depuyacromed.com/products/trauma/university_plate.asp), 2003	
375	DePuy Spine, Inc. Website pages on the PEAK™ Polyaxial Anterior Cervical Plate (http://www.depuyacromed.com/products/cervical/peak_polyaxial.asp), 2003	
276	DePuy Spine, Inc. Website pages on the DOCT™ Plate (http://www.depuyacromed.com/products/cervical/docplate.asp), 2003	
277	Stryker Corporation Website page on the Stryker Spine Implants (http://www.strykercorp.com/products/spine.htm)	

Examiner Signature	DOCSOC1:146205.1	Date Considered	
-----------------------	------------------	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.)). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.